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STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF DENTISTRY

In the Matter of

ROGER T. DOYLE, D.D.S.  
License No. DI 08516

Licensed to Practice  
Dentistry in the  
State of New Jersey

Administrative Action

**FINAL ORDER  
OF DISCIPLINE**

CERTIFIED TRUE COPY

This matter was opened to the New Jersey State Board of Dentistry ("the Board") on information received which the Board has reviewed and on which the following Findings of Fact and Conclusions of Law are made:

FINDINGS OF FACT

1. Respondent Roger T. Doyle, D.D.S. ("respondent"), has been a licensee of this Board at all times relevant.
2. By letters dated March 11, 1994, December 12, 1994, January 17, 1995, October 17, 1995 and December 7, 1995, Agnes Clarke, Executive Director, requested respondent to provide patient record information. He supplied incomplete information and failed to cooperate with the Board's requests fully for nearly two years.
3. On July 24, 1996, in response to a subpoena, respondent appeared with counsel before the Board at an investigative inquiry into a complaint from Gretha Gee, mother of Shanneta Gee, about his treatment procedures. On that occasion and subsequently, he failed to explain his delay in producing the records sought by the

Board, including typed narratives of patient X-rays, all X-rays, financial history, a check list and patient cards.

4. Respondent failed to personally sign submissions to a third party payor as required by N.J.A.C. 13:30-8.10(d), in force during all these events.

5. Respondent failed to produce in a timely fashion documentation for 19 hours of the 40 hours of mandatory continuing education as required for the 1995-1997 license renewal period.

#### CONCLUSION OF LAW

1. Respondent's failure to cooperate with the Board by failing to produce records relating to patient treatment as requested by the Board on numerous occasions constitutes a violation of N.J.A.C. 13:45C-1.2 and N.J.A.C. 13:45C-1.3.

2. Respondent's failure to personally sign forms for third-party payors constitutes a violation of N.J.A.C. 13:30-8.10(d), in force during these events.

3. Respondent's failure to submit proof of 19 hours of the required 40 hours of continuing education for the 1995-1997 license renewal period constitutes a violation of N.J.S.A. 45:6-10.1 et seq.

These violations provide grounds for discipline pursuant to N.J.S.A. 45:1-21(e) and N.J.S.A. 45:1-21(h).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending respondent's license to practice dentistry in the State of New Jersey and assessing a civil penalty was entered on June 2, 1999 and a copy was served on respondent. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a

modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent did submit a request for modification or dismissal on June 29, 1999. Respondent argues that he did not fail to take the required continuing education courses, but rather neglected to maintain the proper records of his educational activity. Respondent did submit certificates documenting 69 hours of continuing education taken between June, 1996 and January, 1999 and argues that 19 of those hours should be accepted to cure the deficiency for the 1995-1997 renewal period, that he should not receive a suspension for this violation and the penalty should either be dismissed or reduced.

With respect to the issue of his failure to cooperate with the Board, respondent asserts that he did not purposely ignore the Board's five distinct written requests for information and the penalty assessed should therefore, be dismissed or reduced.

Finally, regarding his failure to personally sign insurance forms, respondent argues that any penalty for this violation be rescinded because the governing regulation has since been amended and the current language does not require personal signatures.

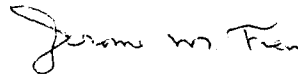
Respondent's submissions were reviewed by the Board, and the Board determined that the continuing education proofs submitted do remedy the deficiency for the 1995-1997 renewal period. With respect to the remaining two violations, the Board

was not persuaded that the submitted materials merited further consideration, as no material discrepancies had been raised.

IT IS, THEREFORE, on this 6<sup>th</sup> day of ~~September~~<sup>October</sup> 1999, ORDERED that:

1. Respondent Roger T. Doyle shall pay a penalty of \$1,000 for failure to cooperate with the Board's repeated requests for patient records and other information, in violation of N.J.A.C. 13:45C-1.2 and N.J.A.C. 13:45C-1.3.

2. Respondent Roger T. Doyle shall pay a penalty of \$500 for failure to personally sign forms for third party payors, in violation of N.J.A.C. 13:30-8.10(d) which was in force during these events.



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Jerome M. Fien  
Vice-President